

UNITED STATE DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT - N.D. OF N.Y.
FILED
MAY 12 2025
AT _____ O'CLOCK
John M. Donohue, Clerk - Syracuse

PLAINTIFF(S)

HARVEY J. GUNTER 24B4432 (ET.AL.)

-V-

COMPLAINT
PRO-SE PRISONER

THE STATE OF NEW YORK
DEPARTMENT OF CORRECTION
AND COMMUNITTE SUPERVISION

CASE NO.

DEFENDANT(S)

JURY DEMAND
☒ YES
☐ NO

LEGAL BASIS FOR COMPLAINT. (CLASS-ACTION)

(NEVERSON-22B2376/OSORIO 18B1590/PINARD
18B1975/THOMAS 24B2430/LOPEZ 22B2442/
PARSON 24B3447/CURTIS 83A6173/KELLY 07A6173/
BUBOLTZ 23B3040/PORTER 16B2783/MANNING
22R1490/HIGGINS 04A5463/BENNETT 15B3442/
SANCHEZ 10B0277/MONROE 02A1334/MASON
08A1751/SMITH 78D0168/RODRIGUEZ 14A1390/
MESSA 99A1402/SMITH 74A3692).

(I. LEGAL BASIS FOR COMPLAINT-CONTINUE!

THIS IS A CIVIL ACTION RELIEF AND/OR DAMAGES TO DEFENDANT AND PROTECT THEIR RIGHTS GUARANTEED BY THE CONSTITUTION AND LAWS OF THE UNITED STATES.

INDICATE THE FEDERAL BASIS FOR YOUR CLAIM

(☒ 42 U.S.C. § 1983 (STATE, COUNTY, OR MUNICIPAL DEFENDANTS),

(II. PLAINTIFF(S) INFORMATION

NAME: HARVEY J. GUNTER, (ET.AL.)

PRISONER ID #: 24B4432

PLACE OF DETENTION: WENDE CORRECTIONAL FACILITY, WENDE ROAD, P.O. BOX 1187, ALDEN, NEW YORK 14004-1187

INDICATE YOUR CONFINEMENT STATUS WHEN THE ALLEGED WRONG DOING OCCURRED:

☒ CONVICTED AND SENTENCED STATE PRISONER(S)

PROVIDE ANY OTHER NAME BY WHICH YOU ARE OR HAVE BEEN KNOWN AND ANY OTHER IDENTIFICATION NUMBER ASSOCIATED WITH PRIOR PERIODS OF INCARCERATIONS!

HARVEY JEROME GUNTHER / BUIBA-DEE!

99B0001 / 18B1208

IF THERE ARE ADDITIONAL PLAINTIFF(S), EACH PERSON MUST PROVIDE ALL THE INFORMATION REQUESTED IN THIS SECTION AND MUST SIGN THE COMPLAINT. ADDITIONAL SHEETS OF PAPER MAY BE USED AND ATTACHED TO THIS COMPLAINT.

PLEASE SEE ATTACHED PAPER FOR ALL OTHER PLAINTIFF(S) INFORMATION AND THEIR SIGNATURE FOR THIS COMPLAINT.

(III) DEFENDANT(S) INFORMATION DEFENDANT NO. (1)

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION!

JOB TITLE: CORRECTION OFFICERS AND THE MEMBER OF THE U.S. NATIONAL GUARDS!

WORK ADDRESS: WENDE CORRECTIONAL FACILITY, WENDE ROAD, P.O. BOX 1187, ALDEN, N.Y. 14004-1187!

1. JAMAL
24B0151

WENDE CORRECTIONAL FACILITY, WENDE
ROAD P.O. BOX 1187 ALDEN, NEW YORK 14004-1187
CONVICTED AND SENTENCE STATE PRISONER
SIGNATURE: *Jamal A. Nyman* 24B0151

2. RODRIGUEZ WILLIAM
14A1390

WENDE CORRECTIONAL FACILITY, WENDE ROAD
P.O. BOX 1187, ALDEN, NEW YORK 14004-1187
CONVICTED AND STATE PRISONER
SIGNATURE: *Rodriguez, William* 14A1390

3. SMITH, JOHN
74A3692

WENDE CORRECTIONAL FACILITY, WENDE
ROAD, P.O. BOX 1187, ALDEN, NEW YORK 14004-1187
CONVICTED AND SENTENCE STATE PRISONER
SIGNATURE: *John Smith*

4. PORTER, ROBERT *John Smith* 74A3692
16B2783

WENDE CORRECTIONAL FACILITY, WENDE
ROAD, P.O. BOX 1187, ALDEN, NEW YORK 14004-1187
SENTENCED CONVICTED STATE PRISONER
SIGNATURE:

5. *Robert Porter*
ROBERTS, KENNETH
08A1240

WENDE CORRECTIONAL FACILITY, WENDE
ROAD, P.O. BOX 1187, ALDEN, NEW YORK 14004-1187
SENTENCED AND CONVICTED PRISONER, STATE
SIGNATURE: Kenneth Lee Robinson #08A1240

7. SMITH, L
78D0168

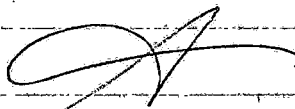
WENDE CORRECTIONAL FACILITY, WENDE ROAD,
P.O. BOX 1187, ALDEN, NEW YORK 14004-1187
SENTENCE AND CONVICTED STATE PRISONER

8. SIGNATURE: James W Smith 78D0168
CHAMAN, A. 14B1124

WENDE CORRECTIONAL FACILITY, WENDE
ROAD, P.O. BOX 1187, ALDEN, NEW YORK 14004-1187
SENTENCE AND CONVICTED STATE PRISONER
SIGNATURE: Anthony Chapman

9. NEVERSON, A.

WENDE CORRECTIONAL FACILITY, WENDE ROAD
P.O. BOX 1187, ALDEN, NEW YORK 14004-1187
CONVICTED AND SENTENCE STATE PRISONER

SIGNATURE:  22B2376

10. ABDULLAH,
05A2186

WENDE CORRECTIONAL FACILITY, WENDE
ROAD, P.O. BOX 1187, ALDEN, NEW YORK 14004-1187
SENTENCED AND CONVICTED STATE PRISONER

SIGNATURE: *Abdel-Malik* #05.A.2186

11. ALSTON, J.
96A0535

WENDE CORRECTIONAL FACILITY, WENDE ROAD
P.O. BOX 1187, ALDEN, NEW YORK 14004-1187
SENTENCED AND CONVICTED STATE PRISONER
SIGNATURE: J. Alston 96A0535

12. TOLIVER, R.
19A2366

WENDE CORRECTIONAL FACILITY WENDE ROAD
P.O. BOX 1187, ALDEN, NEW YORK 14004-1187
SENTENCED AND CONVICTED STATE PRISONER
SIGNATURE: R. Toliver 19A2366

13. BUBOLTZ, (LEGALLY BLIND)
23B3040

WENDE CORRECTIONAL FACILITY, WENDE
ROAD, P.O. BOX 1187, ALDEN, NEW YORK 14004-1187
SENTENCED AND CONVICTED STATE PRISONER
SIGNATURE: BUBOLTZ (LEGALLY BLIND)

14. MANNING (LEGALLY BLIND)
22R1490

WENDE CORRECTIONAL FACILITY, WENDE
ROAD, P.O. BOX 1187, ALDEN, NEW YORK 14004-1187
SENTENCED AND CONVICTED STATE PRISONER
SIGNATURE: MANNING (LEGALLY BLIND)

15. HARVEY J. GUNTER
24B4432

WENDE CORRECTIONAL FACILITY, WENDE
ROAD, P.O. BOX 1187, ALDEN, NEW YORK
14004-1187
SENTENCED AND CONVICTED STATE PRISONER
SIGNATURE: HARVEY J. HUNTER

16.

SIGNATURE:

17.

SIGNATURE:

18.

SIGNATURE:

19.

III DEFENDANTS INFORMATION

DEFENDANT NO. -1

NEW YORK STATE DEPARTMENT OF CORRECTION
~~AND~~ AND COMMUNITY SUPERVISION.

JOB TITLE:

CORRECTION OFFICERS

WORK ADDRESS:

WENDE CORRECTIONAL FACILITY, WENDE
ROAD, P.O. BOX 1187, ALDEN, NEW YORK
14004-1187

DEFENDANT NO. -2

UNITED STATES NATIONAL GUARDS

JOB TITLE:

ASSISTING N.Y.S.D.O.C.C.S. CORRECTION
OFFICERS

WENDE CORRECTIONAL FACILITY, WENDE
ROAD, P.O. BOX 1187, ALDEN, NEW YORK
14004-1187

IV STATEMENT OF FACTS:

1. ON OR ABOUT THE SECOND WEEK OF
NOVEMBER 2024 (NOVEMBER 12TH) I WAS
TRANSFERRED FROM ELMIRA CORRECTIONAL
FACILITY TO WENDE CORRECTIONAL

FACILITY. UPON ARRIVAL I WAS STRIPPED SEARCHED BY A CORRECTION OFFICER AND THEN SENT TO BE EXAMINED BY ONE OF THE NURSES, AS SHE BEGAN TO DO THE EXAM AND ASK ME QUESTIONS CONCERNING MY HEALTH ISSUES, I ASK THE CORRECTION WHO WAS PRESENT IF HE COULD PLEASE LEAVE THE ROOM BECAUSE ANY CONVERSATION WITH MEDICAL PERSONAL IS PRIVILLAGE HE STATED THAT HE DID NOT CARE ABOUT MY CONCERNS AND THAT THE H.I.P.P.A. LAW DOES NOT APPLY TO HIM. THIS INCIDENT TOOK PLACE IN THE RECEPTION/DRAFT ROOM HERE AT THE WENDE CORRECTIONAL FACILITY.

2. ON THE 12TH DAY OF NOVEMBER 2024, I WAS TAKEN TO THE R.M.U. LOCATED WITHIN THE COMPOUND OF THE WENDE CORRECTIONAL FACILITY. ONCE AGAIN I WAS EXAMINED BY AN R.M.U. NURSE, PRIOR TO HER STARTING MY EXAM, I ONCE AGAIN REQUESTED THAT THE CORRECTION OFFICER WHO WAS PRESENT IN THE EXAM ROOM REMOVE HIMSELF UNTIL MY EXAM IS COMPLETE. HE STATED TO ME THAT I BETTER GET USED TO A CORRECTION BEING A PART OF ANY AND ALL EXAMS OR ANY OTHER MEDICAL

PROCEDURE THAT TAKES PLACE WITHIN THE R.M.U. AT THE WENDE CORRECTIONAL FACILITY AND THAT NONE OF THE CORRECTION OFFICERS WHO WORK IN THE R.M.U. CARES ABOUT THE H.I.P.P.A. LAW. SO I ASKED THE ATTENDING NURSE TO HAVE THE CORRECTION LEAVE THE EXAM ROOM UNTIL ANY CONVERSATION ABOUT MY MEDICAL AND HEALTH CONDITIONS ARE FINISHED, SHE STATED THAT IT IS O.K. FOR THE CORRECTION OFFICER TO BE PRESENT DURING MY EXAM.

SINCE THAT TIME, NO MATTER WHAT A MEDICAL EMPLOYEE DOES CONCERNING ALL THE INMATES THAT ARE HOUSED WITHIN THE R.M.U. HERE AT THE WENDE CORRECTIONAL FACILITY, NONE MEDICAL PERSONNEL ARE IN THE EXAM ROOMS AND OR THE INMATES CELL ROOM. THAT TYPE OF INCIDENTS HAS BEEN TAKEN PLACE HERE IN THE WENDE CORRECTIONAL FACILITY R.M.U. UP UNTIL THIS VERY DAY (APRIL 25, 2025).

ON OR ABOUT FEBRUARY 20, 2025, THE NATIONAL GUARDS BEGAN TO BECOME A OF D.O.C.S. SECURITY PERSONNEL. THE

THIS ISSUE IS DUE TO THIS CORRECTIONAL FACILITY (WENDE) DO NOT HAVE PROPER DRINKING WATER WITHIN THE ROOM / CELLS AND THE INMATES ARE BEING SUBJECTED TO HAVE TO DRINK WATER FROM A BATHROOM SINK THAT HAS NO WATER PURIFICATION SYSTEM CONNECTED TO THEM WHICH CAUSES THE WATER FROM THE BATHROOM TO BE VERY CLOUDY WITH SEDIMENT FLOWING ALL THROUGHOUT THE CUP / GLASS WHICH MAKES IT HARMFUL TO DRINK. EVERY DEFENDANT WHO WORKS WITHIN THIS R.M.U. LOCATED WITHIN THE WENDE CORRECTIONAL FACILITY IS IN EVERY ASPECT OF ALL THE FOLLOWING LISTED FACTS ARE TOTALLY RESPONSIBLE!

DURING THIS TIME PERIOD I HAVE NOT ~~BEEN~~ BEEN PHYSICALLY INJURED, I CAN NOT SPEAK FOR ANY OF THE OTHER INMATES / PLAINTIFFS AS TO PHYSICAL INJURIES BUT I CAN TELL YOU THAT EACH AND EVERY INMATE THAT ARE HOUSED WITHIN THIS R.M.U. LOCATED AT THE WENDE CORRECTIONAL FACILITY ARE SUFFERING FROM MENTAL, PSYCHOLOGICAL, EMOTIONAL AND STRESSFUL ISSUES AS WELL AS CRUEL AND UNUSUAL PUNISHMENT

BODY CAMERA'S. EVERY TIME I AND OTHER INMATES HAVE TO GO OUT ON AN OUTSIDE MEDICAL TRIP OR ANY OTHER OUTSIDE TRIP, WE THE INMATES ARE BEING SUBJECTED TO HAVING A STRIP SEARCH ON CAMERA AND ARE BEING TOLD TO LIFT UP OUR PENIS AND TESTICALS AND THAT TO TURN AROUND AND BEND OVER AND SPREAD YOUR BUTT CHEEKS WHILE BEING RECORDED AND IF YOU DO NOT COMPLY, YOU WILL NOT BE ALLOW TO GO ON THE OUTSIDE TRIP AND WILL BE RETURNED TO YOUR CELL ROOM AND ARE ASKED TO SIGN A REFUSAL FORM. I AM IN VERY POOR HEALTH AND REQUIRE OUTSIDE MEDICAL TRIPS. I HAVE NOT SEEN ANY OUTSIDE MEDICAL TRIPS BECAUSE I AM MUSLIM AND I REFUS TO BE SUBJECTED TO SUCH TYPE OF UNWARRENT PROCUDERS.

ON OR ABOUT THE NOVEMBER 12, 2024, THIS IS WHEN I ARRIVED AT THE WENDE R.M.U. CORRECTIONAL FACILITY. SINCE THAT TIME MYSELF AND ALL THE OTHER INMATES WHO ARE HOUSED IN THE R.M.U. AT THE WENDE CORRECTIONAL FACILITY ARE BEING SUBJECTED TO UNCLEAN DRINKING WATER WITHIN OUR CELLS AND ~~ROOM~~ ROOMS.

THE EXACT SAME ISSUES THAT WAS TAKING PLACE PRIOR TO THE NATIONAL GUARDS PRESENCE HAS CONTINUE TO TAKE PLACE THAT BEING VIOLATING MY H.I.P.P.A LAW RIGHTS AND NO ONE FROM THIS ADMINISTRATION OR ALBANY HAS ANY CONCERN ABOUT THIS MATTER.

ON OR ABOUT FEBRUARY 20, 2025, THE OFFICERS BEGAN TO WEAR CAMERAS THAT NOT ONLY RECORDS EVERYTHING A INMATE DOES BUT ALSO EVERYTHING THAT IS BEING SAID. IT IS NOT JUST THE CORRECTION OFFICERS WHO ARE VIOLATING THE INMATES WHO ARE HOUSED WITHIN THE WENDE CORRECTIONAL FACILITY R.M.U. BUT THE NATIONAL GUARDS ARE ALSO BEING ALLOWED TO BE IN THE EXAM ROOM WHEN MEDICAL PERSONNEL IS DOING AN EXAMINATION OR SPEAKING TO ME AS WELL AS OTHER INMATES WHICH IS A CLEAR VIOLATION OF THE H.I.P.P.A. LAW.

ON OR ABOUT FEBRUARY 2, 2025, THIS IS ABOUT THE TIME THAT THE CAMERAS WAS IMPLEMENTED FOR THE CORRECTION OFFICER AND THE NATIONAL GUARDS TO BEGAN WAVING

AS WELL AS DELIBERATE INDIFFERENCE BY THE STAFF WHO WORK WITHIN THE R.M.U. LOCATED WITHIN THE WENDE CORRECTIONAL FACILITY.

II STATEMENT OF CLAIM

FIRST CLAIM:

ON OR ABOUT THE 12TH OF NOVEMBER 2024 WHILE BEING PROCESSED INTO THE WENDE CORRECTIONAL FACILITY. I WAS SUBJECTED TO (CRUEL AND UNUSUAL PUNISHMENT) (DELIBERATE INDIFFERENCE) AS WELL AS VIOLATING MY RIGHTS TO THE H.I.P.P.A. LAW ALL THESE CLAIMS ARE AGAINST THE NEW YORK STATE DEPARTMENT OF CORRECTION AND COMMUNITY SUPERVISION WHO VIOLATED MY 8TH CONSTITUTIONAL AMENDMENT. A

SECOND CLAIM:

SINCE BEING TRANSFERRED TO THE WENDE CORRECTIONAL FACILITY ON THE 12TH OF NOVEMBER 2024, I HAVE BEEN SUBJECTED TO DELIBERATE INDIFFERENCE TO MEDICAL NEEDS AS WELL AS CRUEL AND UNUSUAL PUNISHMENT DUE TO THE ACTIONS OF THE

OF THE CORRECTIONAL OFFICERS AND THE NATIONAL GUARDS WHO ARE WORKING IN THE R.M.U. LOCATED WITHIN THE WENDE CORRECTIONAL FACILITY WHICH VIOLATED MY 8TH CONSTITUTIONAL AMENDMENT RIGHTS AS WELL AS THE H.I.P.P.A. LAW. BY THE OFFICERS WHO WORK WITHIN THE R.M.U.

THIRD CLAIM:

ON OR ABOUT FEBRUARY 20, 2025, THE NATIONAL GUARDS BECAME THE ASSISTANCE OF WENDE CORRECTIONAL FACILITY OFFICERS. THE NATIONAL ~~GUARDS~~ GUARDS ARE IN VIOLATION OF MY 8TH CONSTITUTIONAL AMENDMENT DELIBERATE INDIFFERENCE AS WELL AS VIOLATING THE H.I.P.P.A. LAW.

~~FOURTH~~ FOURTH CLAIM:

ON OR ABOUT THE 2ND OF FEBRUARY 2025, THE CORRECTIONAL OFFICERS BEGAN TO WEAR BODY CAMERAS AND WEEKS LATER THE NATIONAL GUARDS WAS ALLOWED TO WEAR BODY CAMERAS ALL THE WHILE WHEN BEING EXAMINED BY MEDICAL STAFF DURING MEDICAL VISITS TO THE INMATE ROOMS / CELLS WHICH IS CRUEL AND UNUSUAL PUNISHMENT AND A VIOLATION OF THE

H.I.P.P.A. LAW.

FIFTH CLAIM:

DURING MY TIME HERE AT THE WENDE CORRECTIONAL FACILITY, SINCE THEY BEGAN WEARING BODY CAMERA'S THIS IS CONCERNING THE CORRECTION OFFICERS. IF YOU ARE SCHEDULED TO GO ON ANY OUTSIDE TRIPS, YOU ARE BEING FORCED TO STRIP NAKED AND RAISE YOUR TESTICLES AND PENIS AND THEN ARE TOLD TO TURN AROUND AND SPREAD YOUR BUTT CHEEK SO THE OFFICER CAN RECORD THE ENTIRE PROCESS. THIS IS ABSOLUTELY A FORM OF HARD CORE PRON WHICH IS CRUEL AND UNUSUAL PUNISHMENT AND DELIBERATE INDIFFERENCE TO MEDICAL NEEDS WHICH IS A VIOLATION OF MY 8TH CONSTITUTIONAL AMENDMENT RIGHTS.

SIX CLAIM:

SINCE BEING CONFINED ON NOVEMBER 20, 2023 HERE AT THE WENDE CORRECTIONAL FACILITY MYSELF AND THE REST OF THE INMATES HOUSED WITHIN THE R.M.U. HAS BEEN AND STILL ARE TO THIS VERY DAY OF APRIL 25, 2025 ~~IS~~ BEING SUBJECTED

TO CRUEL AND UNUSUAL PUNISHMENT, UNCONSTITUTIONAL CONDITIONS OF CONFINEMENT AND DELIBERATE INDIFFERENCE FOR BEING FORCED TO DRINK WATER FROM A SINK LOCATED WITHIN THE BATHROOM OF YOUR CELL ROOM WITH NO WATER PURIFICATION SYSTEM MAKING THE WATER UNDRINKABLE WHICH IS A 8TH CONSTITUTIONAL AMENDMENT VIOLATION.

VII RELIEF REQUESTED:

FOR EACH INMATE NAMED IN THIS LAW SUITE, WE ARE REQUESTING \$1,000,000 DOLLARS EACH TOTALING \$15,000,000 MILLION DOLLARS FOR PUNITIVE AND MONETARY DAMAGES AS WELL AS ANY COURT FEE COST.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT!

DATED: 5/7/2023

PLAINTIFF'S SIGNATURE

Harvey J. Winterstein

HAVE YOU BEGAN ANY OTHER LAWSUITS IN FEDERAL COURT WHICH RELATES TO YOUR IMPRISONMENT

YES

NAME OF THE PARTIES TO THIS OTHER LAWSUIT:

PLAINTIFF(S): HARVEY J. GUNTER

DEFENDANT(S): NEW YORK STATE DEPARTMENT OF CORRECTION AND COMMUNITY SUPERVISION

DOCKET: PENDING

DISTRICT COURT: NORTHERN DISTRICT

NAME OF DISTRICT MAGISTRATE JUDGE TO WHOM CASE WAS ASSIGNED: PENDING

THE APPROXIMATE DATE THE ACTIONS WAS FILED: APRIL 22, 2025

WHAT WAS THE DISPOSITION OF THE CASE:
IS IT STILL PENDING: YES

EXHAUSTION OF YOUR ADMINISTRATIVE
REMEDIES FOR THIS CLAIM:

DID YOU GRIEVE OR APPEAL THIS CLAIM
(YES) IF YES, WHAT WAS THE RESULTS?
DENIED!

DID YOU APPEAL THAT DECISION? (YES)
IF YES, WHAT WAS THE DECISION? AS OF
THIS POINT, THE C.O.R.C. HAS NOT REPLIED
TO ANY OF MY GRIEVANCES! (SEE ATTACHED
EXHIBITS - GRIEVANCES FILED.

ATTACHED TO THE REAR OF THIS CLAIM ARE
GRIEVANCES THAT WAS NEVER DECIDED BY
THE FACILITY OR THE C.O.R.C. WHICH
INDICATE I HAVE EXHAUSTED MY
ADMINISTRATIVE REMEDIES.

#62

Affidavit of Service

STATE OF NEW YORK)
COUNTY OF ~~OTSEGO~~ ERIE ss:

I, HARVEY J. GUNTER, being duly sworn, deposes and
says, that I am the Petitioner herein, and that on the date of notarization indicated below, I have
place in a sealed, post-paid, wrapper a true and exact copy of the enclosed papers, Identified as:
42 U.S.C. § 1983 & EXHIBITS

_____, and Affidavit of
Service, by placing same in U.S. Mailbox in ~~WENDE~~ Correctional Facility for delivery to the
United States Postal Service, and that such parcels were addressed to the parties indicated below:

NEW YORK STATE DEPARTMENT
OF LAW, ATTORNEY GENERAL
OF THE STATE OF NEW YORK
THE CAPITOL
ALBANY, NEW YORK 12224-0341

Respectfully Submitted,

Harvey J. Gunter
(Sign Name in Front of Notary)
HARVEY J. GUNTER, pro se
(Print Name)



Sworn and subscribed to before me on
this 7 day of May, 2025.

Benjamin A. Wilson
Notary Public

Benjamin A. Wilson
Notary Public, State of New York
Reg. No. 01W16298376
Qualified in Erie County
Commission Expires 3/10/2026

TO: C.O.R.C. / ALBANY, NEW YORK!

RE: APPEALING THE FOLLOWING GRIEVANCES!

DEAR SIR/MADAM,

I AM WRITTING TO YOU AT THIS POINT AND TIME BECAUSE I HAVE FILED A NUMBER OF GRIEVANCES HERE AT THE WENDE CORRECTIONAL FACILITY. IT SEEM TO BE PROTACAL FOR THE GREEVANCE COMMITTEE NOT ONLY TO NOT ANSWER YOUR GRIEVANCES, BUT THEY ALSO DO NOT SCHEDULE ANY GRIEVANCE HEARINGS OR RESPOND IN ANY FORM (CORRESPONDANCE / IN PERSON) TO THE STATUS OF ANY GRIEVANCE THAT IS FILED. I AM LISTING THE FOLLOWING GRIEVANCES THAT I HAVE FILED AND GOT NO RESULTS. (A COPY IS INCLUDED AS EXHIBITS)!

DATES FILED. 1-6-2025 / 1-6-2025 / 1-10-2025 /
1-6-2025 / 1-27-2025 / 2-10-2025 / 1-29-2025 /
3-3-2025 / 3-3-2025 / 4/3/2025 / 4-14-2025 /

WRITTING TO YOU CONCERNING THIS ISSUES IS MY ACKNOWLEDGEMENT THAT I HAVE EXHAUSTED MY ADMINISTRATIVE REMEDIES!

WADAMP A. MUMTER 2434432

1-OF-2 PAGES

INCARCERATED GRIEVANCE PROGRAM COMPLAINT FORM

GRIEVANCE NO. DATE FILED
1/6/2025

GRIEVANT NAME DIN, NO.
HARVEY J. GUNTER 24B4432

FACILITY HOUSING UNIT
WENDE R.M.U. 336-2

PROGRAM DATE
N/A 1/6/2025

DESCRIPTION OF PROBLEM:

THERE IS NO HEAT WORKING IN MY ROOM AND THE HEATERS THAT ARE ON THE WALL HAS BEEN ICE COLD SINCE WE WERE TOLD THAT THE HEAT HAS BEEN TURNED ON. ALSO THERE IS NO HOT WATER IN THE SHOWER OR THE SINK THAT IS IN MY ROOM. THE VENTS IN THE CEILING DOES NOTHING BUT BLOW COLD AIR 24 HOURS A DAY MAKING IT UNBEARABLE TO LIVE IN!

GRIEVANT SIGNATURE: *Harvey J. Gunter* 24B4432

GRIEVANCE CLERK SIGNATURE:

DATE:

ADVISOR REQUESTED: YES / ☒ NO WHO:

ACTION REQUESTED BY GRIEVANT: TO HAVE THE MAINTENANCE DEPARTMENT FIX THIS MATTER A.S.A.P. AND TO HAVE MEDICAL ISSUES THE PRISONERS A "SECOND" BLANKET TO STAY WARM UNTIL THE HEATING PROBLEM IS RESOLVED AS WELL AS THE ISSUE WITH HAVING "NO" HOT WATER!

2 OF 2 PAGES

THIS COMPLAINT HAS BEEN RESOLVED AS FOLLOWS:

INFORMAL RESOLUTION ACCEPTED (TO BE COMPLETED ONLY IF RESOLVED
PRIOR TO HEARING)

GRIEVANT SIGNATURE:

DATE:

WITNESS SIGNATURE:

DATE:

IF UNRESOLVED, YOU ARE ENTITLED TO A HEARING BY THE INCARCERATED
GRIEVANCE RESOLUTION COMMITTEE (I.G.R.C.),

*AN EXCEPTION TO THE TIME LIMIT MAY BE REQUESTED UNDER
DIRECTIVE # 4040.5 701.6(G).

INCARCERATED GRIEVANCE PROGRAM COMPLIANT FORM

GRIEVANCE NO. DATE FILED
WDE- 0016-25/6/2025

GRIEVANT NAME DIN. #
HARVEY J. GUNTER 24B4432

filed 1/7/25

FACILITY HOUSING UNIT
WENDE R.M.U. 336-2

PROGRAM DATE
N/A 1/6/2025

DESCRIPTION OF PROBLEM:

I, HARVEY J. GUNTER, 24B4432, WAS TRANSFERRED TO WENDE CORR. FAC. IN EARLY OCTOBER 2024. SINCE THAT TIME I HAVE "NOT" RECEIVED A SINGLE "HOT" MEAL (I.E. LUNCH OR DINNER). TODAY MY LUNCH WAS A SLICE OF HARD COLD PIZZA AND A ICE COLD HARD BOILED EGG, MY DINNER WAS A TRAY THAT CONTAINED COLD MASH POTATOES AND SOME FORM OF WHAT I THINK IS SUPPOSE TO BE SOME FORM OF BEEF THAT MUST HAVE BEEN TAKEN STRAIGHT OUT OF THE "REFRIGERATOR" BECAUSE NOT ONLY WAS IT COLD AND UNATEABLE, IT CONTAINED THE SOLID FAT GREASE FROM BEING REFRIGERATED. THIS FORM OF FEEDING THE PRISONERS IN THE R.M.U. HAS TO "STOP" NOW!

GRIEVANT SIGNATURE: Harvey J. Gunter 24B4432

GRIEVANCE CLERK SIGNATURE:

DATE:

ADVISOR REQUESTED: (YES) NO WHO: THE FOOD ADMINISTRATOR!

(1-OF-2-PAGES)

XEROX PHOTOS

WDE- 0016-25

ACTION REQUESTED BY GRIEVANT:
 I WANT THE FOOD THAT IS SENT TO THE PRISONERS OF THE
 WENDE CORR. FAC. R.M.U. TO BE HOT (I.E. LUNCH & DINNER)
 AS REQUIRED BY THE RULES AND REGULATIONS OF THE
 N.Y. S. D. O. C. C. S. I KNOW THAT THE FOOD THAT IS TO BE
 HOT MEALS ARE BEING DELIVERED TO THE PRISONERS
 IN THE R.M.U. IN HOT BOXES THAT DO "NOT" WORK!
 EITHER FIX THE HOT BOXES OR BUY NEW ONES THAT
 "WORK"! IF THIS MATTER IS NOT ADDRESSED BY THE
 END OF JANUARY 2025 YOU WILL LEAVE ME NO CHOICE
 BUT TO GO OVER YOUR HEADS. THIS IS "NOT" A THREAT, IT
 IS MY RIGHT!

THIS COMPLAINT HAS BEEN RESOLVED AS FOLLOWS:

INFORMAL RESOLUTION ACCEPTED: (TO BE COMPLETED ONLY IF RESOLVED
 PRIOR TO HEARING)

GRIEVANT SIGNATURE:

WITNESS SIGNATURE:

DATE:

DATE:

IF UNRESOLVED, YOU ARE ENTITLED TO A HEARING BY THE INCARCERATED
 GRIEVANCE COMMITTEE (I.G.R.C.), * AN EXCEPTION TO THE TIME LIMIT
 MAY BE REQUESTED UNDER DIRECTIVE #4040 & 701.612

INCARCERATED GRIEVANCE PROGRAM
COMPLAINT FORM

GRIEVANCE NO. DATE FILED
1/6/2025

GRIEVANT NAME DIN. NO.
HARVEY J. GUNTER 2434432

FACILITY HOUSING UNIT
WENDE R.M.U. 336-2

PROGRAM DATE:
N/A 1/6/2025

DESCRIPTION OF PROBLEM:

THE WHEEL CHAIRS THAT ARE USED TO TRANSPORT PRISONERS ON OUTSIDE MEDICAL TRIPS AND DRAFT TRANSFERS ARE IN "NO" CONDITION TO BE USED FOR TRANSPORTING ANY PRISONERS OUTSIDE OF THE FACILITY! THESE WHEEL CHAIRS ALL OF THEM ARE MISSING CRITICAL PARTS THAT ARE A "SAFETY" HAZARD TO THE WELL BEING OF THE PRISONER THAT IS BEING TRANSPORTED (I.E., THERE ARE "NO" LEG/FOOT SUPPORTS AND SOME OF THE WHEEL CHAIRS ~~DO NOT~~ HAVE ONLY "ONE" OR "NO" ARM SUPPORTS MAKING IT VERY EASY FOR THE PRISONER TO FALL FROM THE WHEEL CHAIR OR BE DRAGGED UNDER THE WHEEL CHAIR!

GRIEVANT SIGNATURE: HARVEY J. GUNTER 2434432
GRIEVANCE CLERK SIGNATURE: DATE:

ADVISOR REQUESTED: YES / NO WHO: THE FACILITY SAFETY OFFICER

ACTION REQUESTED BY GRIEVANT:

TO HAVE ALL THE TRANSPORT WHEEL CHAIRS REPLACED WITH NEW ONES THAT ARE UP TO SAFETY STANDARDS WHEN BEING USED TO TRANSPORT PRISONERS ANY WHERE FOR THEIR SAFETY SO THAT THERE IS NO LIABILITY CLAIMS TO BE BROUGHT AGAINST THE STATE OR THE OFFICER WHO IS INVOLVED WITH USING AN UNSAFE TRANSPORT WHEEL CHAIR!

THIS COMPLAINT HAS BEEN RESOLVED AS FOLLOWS:

INFORMAL RESOLUTION ACCEPTED (TO BE COMPLETED ONLY IF RESOLVED PRIOR TO HEARING.)

GRIEVANT SIGNATURE:

WITNESS SIGNATURE:

DATE:

DATE:

IF UNRESOLVED, YOU ARE ENTITLED TO A HEARING BY THE INCARCERATED GRIEVANCE RESOLUTION COMMITTEE (I.G.R.C.).
* AN EXCEPTION TO THE TIME LIMIT MAY BE REQUESTED UNDER DIRECTIVE #4040, §701.6(G).

NEW YORK STATE	CORRECTIONS AND COMMUNITY SUPERVISION	Case 16-25 by 06825 EAW I-DE-4-14631 Document 1 Filed 05/12/25 Page 28 of 43	GRIEVANCE NO.	DATE FILED
				1/10/2025
	WIDE-0029-2	GRIEVANT NAME	DIN. NO.	
	INCARCERATED GRIEVANCE PROGRAM	HARVEY J. GUNTER	24B4432	
COMPLAINT FORM	FACILITY	HOUSING UNIT		
	WENDE	R.M.U. 336-2		
	PROGRAM	DATE		
		1/10/2025		
DESCRIPTION OF PROBLEM:				
THE PROBLEM IS THIS ADMINISTRATION! THIS IS THE 5TH TIME IN AS MANY WEEKS THAT THE ISLAMIC FACILITATOR HAS "NOT" BEEN ALLOWED TO BE ESCORTED TO THE R.M.U. FOR JUMMAH FRIDAY MUSLIM SERVICES! TODAY 1-10-2025, THE MUSLIM FACILITATOR DID "NOT" REACH THE R.M.U. FOR MUSLIM SERVICES UNTIL 2:20 P.M. AND BECAUSE OF THE TIME, THE OFFICERS ON THE 3RD FLOOR OF THE R.M.U. REFUSED TO ALLOW THE FRIDAY MUSLIM JUMMAH SERVICES TO TAKE PLACE! AT 2:30 P.M. ALL THE MUSLIMS WHO WERE THERE WAITING FOR THE MUSLIM FACILITATOR SINCE 1:00 P.M. WERE TOLD THAT WE HAD TO RETURN TO OUR ROOMS! THIS ROUTINE BY THE ADMINISTRATION IS HAPPING MUCH TOO OFTEN! IT HAS LONG BEEN ESTABLISHED THAT THE MUSLIM FACILITATOR IS ON THE CALL-OUT FOR 11:00 A.M. AS TO SETUP FOR JUMMAH SERVICES THAT ARE TO TAKE PLACE				

205-2-PAGES

FROM 1:00 P.M. TO 3:00 P.M. EVERY FRIDAY! WHY IS THIS ADMINISTRATION DON'T HAVE ANY PROBLEMS GETTING THE CHRISTIAN FACILITATOR TO THE R.M.U. ON TIME FOR THEIR SERVICES! WDE- 0029-25

GRIEVANT SIGNATURE: *Wm. J. Munter*
 GRIEVANCE CLERK SIGNATURE: _____ DATE: _____

ADVISOR REQUESTED: (YES) / NO WHO: THE IMAM

ACTIONS REQUESTED BY GRIEVANT: TO BE GIVEN THE SAME CONSIDERATION AS THE REST OF RELIGIOUS ORGANIZATIONS AND TO HAVE OUR MUSLIM FACILITATOR IN THE R.M.U. AT 11:00 A.M. FOR SET-UP AND SERVICES!

THIS COMPLAINT HAS BEEN RESOLVED AS FOLLOWS:

INFORMAL RESOLUTION ACCEPTED (TO BE COMPLETED ONLY IF RESOLVED PRIOR TO HEARING)

GRIEVANT SIGNATURE: _____ DATE: _____

WITNESS SIGNATURE: _____ DATE: _____

IF UNRESOLVED, YOU ARE ENTITLED TO A HEARING BY THE INCARCERATED RESOLUTION COMMITTEE (I.G.R.C.).
 * AN EXCEPTION TO THE TIME MAY BE REQUESTED UNDER DIRECTIVE # 4040, § 701.6 (G),

NEW YORK STATE
CORRECTIONS AND
COMMUNITY SUPERVISION

GRIEVANCE NO. DATE FILED
1/27/2025

INCARCERATED GRIEVANCE PROGRAM COMPLAINT FORM

GRIEVANT NAME DIN. NO.
HARVEY J. GUNTER 24B432
FACILITY HOUSING UNIT
WENDE R.M.U. 336-2
PROGRAM DATE
N/A 1/27/2025

DESCRIPTION OF PROBLEM:

THERE IS AN ICE MACHINE LOCATED ON THE THIRD FLOOR OF THE R.M.U. THE PRISONERS ARE BEING SERVED ROOM TEMPERATURE "MILK" & "JUICE" AND THE WATER FROM THE BATHROOM SINK IS WARM AND "NOT" DRINKABLE!

GRIEVANT SIGNATURE: *Harvey J. Gunter*
GRIEVANCE CLERK SIGNATURE:

DATE:

ADVISOR REQUESTED: YES-☒ NO-☐ WHO:

ACTIONS REQUESTED BY GRIEVANT:

I AM REQUESTING THAT THE PRISONERS WHO REQUEST "ICE" TO BE PROVIDE "ICE" AT LEAST TWICE A DAY!

THIS COMPLAINT HAS BEEN RESOLVED AS FOLLOWS:

INFORMAL RESOLUTION ACCEPTED: TO BE COMPLETED ONLY IF RESOLVED PRIOR TO HEARING.

GRIEVANT SIGNATURE:

WITNESS SIGNATURE:

DATE:

DATE:

IF UNRESOLVED, YOU ARE ENTITLED TO A HEARING BY THE INCARCERATED RESOLUTION COMMITTEE (C.R.C.)

NEW YORK STATE
CORRECTION AND
COMMUNITY SUPERVISION

INCARCERATED GRIEVANCE
PROGRAM COMPLAINT FORM

(40) Legal Requests

WDE- 0065-25

Filed 1/30/25

GRIEVANCE NO.

GRIEVANT NAME

HARVEY J. GUNTER

FEALITY

WENDE

PROGRAM

N/A

DATE FILED

1/29/2025

DIN. NO.

24B4432

HOUSING UNIT

R.M.U. 336-2

DATE

1/29/2025

DESCRIPTION OF PROBLEM:

I HAVE WRITTEN AND REQUESTED LEGAL MATERIALS FROM THE LAW LIBRARY "2" TWICE IN THE PAST "2" TWO WEEKS AND HAVE YET TO RECIEVE ANY OF THE LEGAL MATERIALS THAT I REQUESTED.

GRIEVANT SIGNATURE: Harvey J. Gunter 24B4432

GRIEVANCE CLERK SIGNATURE:

DATE:

ADVISOR REQUESTED: YES/NO WHO:

ACTION REQUESTED BY GRIEVANT:

I WANT THE REQUESTED LEGAL MATERIALS DELIVERED BACK TO ME WITHIN 24 HOURS OF RECIEVING MY REQUEST AS IT IS STATED WITHIN THE PATIENT ORIENTATION HANDBOOK WENDE REGIONAL MEDICAL UNIT/INFIRMARY GUIDELINES!

THIS COMPLAINT HAS BEEN RESOLVED AS FOLLOWS:

INFORMAL RESOLUTION ACCEPTED: (TO BE COMPLETED ONLY IF RESOLVED PRIOR TO HEARING)

GRIEVANT SIGNATURE:

WITNESS SIGNATURE:

DATE:

DATE:

IF UNRESOLVED, YOU ARE ENTITLED TO A HEARING BY THE INCARCERATED GRIEVANCE RESOLUTION COMMITTEE (I.G.R.C.), AN EXCEPTION TO THE TIME LIMIT MAY BE REQUESTED UNDER DIRECTIVE # 4040, § 701.6 (G).

H. Gunter
24B4432
Rmu-336-2

INCARCERATED GRIEVANCE PROGRAM
COMPLIANT FORM

GRIEVANT NAME DIN, NO.
HARVEY J. GUNTER 24B4432
FACILITY HOUSING UNIT
WENDE R.M.U. 336-2
PROGRAM DATE
N/A 2/10/2025

DISCRIPTION OF PROBLEM;

THE CORRECTION OFFICER'S WHO ENTER MY ROOM ALONG WITH A MEDICAL PROVIDER DURNING EXAMS, MEDICINE BEING GIVEN AND ANY OTHER COMMUNICATION CONCERNING MY MEDICAL CONDITION IS BEING RECORDED BOTH PHYSICAL AND AUDIO. THIS IS IN VIOLATION OF MY HIPPA LAW RIGHT AND MY PATIENT'S BILL OF RIGHTS TO PRIVACY FROM ANYONE WHO IS NOT A MEDICAL PROVIDER.

GRIEVANT SIGNATURE: Harvey J. Munter

GRIEVANCE CLERK SIGNATURE;

DATE:

ADVISOR REQUESTED: YES / NO

ACTION REQUESTED BY GRIEVANT:

I DO NOT WANT THE CORRECTION OFFICER'S RECORDING ANY OF MY CONVERSATIONS WHEN I AM SPEAKING WITH A MEDICAL PROVIDER CONCERNING MY MEDICAL HEALTH CONDITIONS!
COMPLAINT HAS BEEN RESOLVED AS FOLLOWS;

INFORMAL RESOLUTION ACCEPTED: (TO BE COMPLETED ONLY IF RESOLVED PRIOR TO HEARING.)

GRIEVANT SIGNATURE;

DATE:

WITNESS SIGNATURE;

DATE:

IF UNRESOLVED, YOU ARE ENTITLED TO A HEARING BY THE INCARCERATED GRIEVANCE RESOLUTION COMMITTEE (IGRC), AN EXCEPTION TO THE TIME LIMIT MAY BE REQUESTED UNDER DIRECTIVE #4040.5 701.6 (G).

H. Gunter

24B4432

RML-336-2

NEW YORK STATE } CORRECTION AND
 COMMUNITY SUPERVISION
 INCARCERATED GRIEVANCE PROGRAM
 COMPLAINT FORM

GRIEVANCE NO. DATE FILED
 3/3/2025
 GRIEVANT NAME DIN. NO.
 HARVEY J. GUNTER 24B4432
 FACILITY HOUSING UNIT
 WENDE R.M.U. 336-2
 PROGRAM DATE
 N/A 3/3/2025

DESCRIPTION OF PROBLEM:
 THE PROBLEM IS THE "UNSANCTION" AND "ILLEGAL" ACTS
 OF THE CORRECTION OFFICER'S OF THE NEW YORK
 STATE PRISON SYSTEM BETTER RELATED AS A STRICK
 THAT WAS "NOT" SANCTION BY THEIR UNION HAS CLEARLY
 CAUSE MYSELF AND MANY OTHER PRISONERS ACROSS
 THE STATE OF NEW YORK TO BE DEPRIVED OF THEIR
 FRIST CONSTITUTIONAL AMENDMENT RIGHT TO PAR-
 TAKE IN THEIR PRACTICE OF THEIR RELIGIOUS
 BELIEF. IT HAS BEEN FOUR WEEKS SINCE I HAVE BEEN
 ALLOWED TO PAR-TAKE IN MY RELIGIOUS BEFIEF THAT
 BEING "MUSLIM SERVICES" (I.E. JUMMAH FRIDAY PRAYER),
 AND NOW AT THIS POINT AND TIME, I AM AND MANY OTHER
 ISLAMIC PRISONERS ARE BEING DENIED THE RIGHT
 TO PAR-TAKE IN THE ISLAMIC RAMADAN CELEBRATION.

GRIEVANT SIGNATURE: *Harvey A. Dunter*
GRIEVANCE CLERK SIGNATURE:

DATE:

ADVISOR REQUESTED: YES / NO WHO: THE IMAM

ACTION REQUESTED BY GRIEVANT:

TO GET SOME OF THE CORRECTION OFFICER'S OR OTHER
STAFF THAT ARE NOT INVOLVED IN THE "UNSANCTION"
AND "ILLEGAL" STRICK TO BE POSTED IN OR NEAR THE
MASTID AND THE R.M.U. SO THAT THE ISLAMIC COMMUNITY
CAN PAR-TAKE IN THE (JUMMAH FRIDAY PRAYER AND PAR-TAKE
IN THE RAMADAN ISLAMIC CELEBRATION!

THIS COMPLAINT HAS BEEN RESOLVED AS FOLLOWS:

INFORMAL RESOLUTION ACCEPTED: (TO BE COMPLETED ONLY IF
RESOLVED PRIOR TO HEARING)

GRIEVANT SIGNATURE:

WITNESS SIGNATURE:

DATE:

DATE:

IF UNRESOLVED, YOU ARE ENTITLED TO A HEARING BY THE
INCARCERATED GRIEVANCE RESOLUTION COMMITTEE (I.G.R.C.)
AN EXCEPTION TO THE TIME LIMIT MAY BE REQUESTED UNDER
DIRECTIVE #4040, § 701.6 (G).

NEW YORK STATE COMMUNITY SUPERVISION - FRISK
 WDE- 0115-25
 INCARCERATED GRIEVANCE PROGRAM COMPLAINT FORM

GRIEVANCE NO. 31 Camera Being
 GRIEVANT NAME HARVEY J. GUNTER
 DIN. NO. 24B4432
 FACILITY WENDE
 HOUSING UNIT R.M. U. 336-2
 PROGRAM N/A
 DATE 3/3/2025

DESCRIPTION OF PROBLEM:
 AS A PRISONER OF THE ISLAMIC FAITH, I AM BEING GIVEN A DIRECT ORDER TO STRIP NECKET AND RAISE MY PENIS AND TESTICALS AND THEN TO FACE A WALL AND SPREAD MY BOTTOX WHILE BEING RECORDED ON CAMERA. ALSO THE OFFICERS COME INTO MY ROOM AND RECORDS THE MEDICAL CONVERSATION CONCERNING MY HEALTH RELATED ISSUES WHEN I AM BEING SEEN BY MEDICAL PERSONNAL. THE FIRST PROBLEM IS A CLEAR AND CONCISE VIOLATION OF MY FIRST CONSTITUTIONAL AMENDMENT RIGHT, THE SECOND PROBLEM IS A CLEAR AND CONCISE VIOLATION OF MY HIPPA RIGHTS TO PATIENCE CONFIDENTIALITY!

GRIEVANT SIGNATURE: Harvey J. Gunter ← ISAH!
 GRIEVANCE CLERK SIGNATURE:

ADVISOR REQUESTED: YES NO WHO: THE IMAM
 DATE:

ACTION REQUESTED BY GRIEVANT: TO NOT BEING RECORDED BY THE OFFICER'S WHEN SPEAKING ABOUT MY MEDICAL ISSUES WITH MEDICAL STAFF AS WELL AS BEING RECORDED DURING ANY STRIP FRISK, THAT ALONE IS SEXUAL HARRASSMENT AS WALL AS PORN!

WDE- 0115-25

THIS COMPLAINT HAS BEEN RESOLVED AS FOLLOWS:

INFORMAL RESOLUTION ACCEPTED: TO BE COMPLETED ONLY IF
RESOLVED PRIOR TO HEARING!

GRIEVANT SIGNATURE:

DATE:

WITNESS SIGNATURE:

DATE:

IF UNRESOLVED, YOU ARE ENTITLED TO A HEARING BY THE
INCARCERATED GRIEVANCE RESOLUTION COMMITTEE (I.G.R.C.)
AN EXCEPTION TO THE TIME LIMIT MAY BE REQUESTED
UNDER DIRECTIVE # 4040, § 701.6 (G).

H. Gunter

24 B4432

Rmu-336-2

DATE FILED
4/3/2025NEW
YORK
STATECORRECTION AND
COMMUNITY SUPERVISION
INMATE GRIEVANCE PROGRAM
COMPLAINT FORM

GRIEVANT NAME DIX. NO.
HARVEY J. GUNTER 24B4432
FACILITY HOUSING UNIT
WENDE R.M.U. 336-2
PROGRAM
N/A DATE
4/3/2025

DESCRIPTION OF PROBLEM: THIS IS THE SECOND TIME THAT I AM FILING A GRIEVANCE CONCERNING THIS MATTER (I.E.: HAVING MY H.I.P.P.A. RIGHTS BEING VIOLATED BY "NONE" MEDICAL STAFF. AT FIRST IT WAS THE CORRECTION OFFICER'S FOLLOWING THE MEDICAL STAFF INTO MY ROOM AND RECORDING THE CONVERSATIONS THAT TAKE PLACE BETWEEN MYSELF AND MEDICAL STAFF CONCERNING MY HEALTH RELATED MEDICAL ISSUES NO MATTER HOW BIG OR SMALL WHICH IS IN VIOLATION OF MY H.I.P.P.A. RIGHTS TO CONFIDENCE AND NOW YOU ARE ALLOWING THE "NATIONAL GUARDS TO DO THE SAME THING WHICH IS ALSO A VIOLATION OF MY H.I.P.P.A. RIGHTS!

GRIEVANT SIGNATURE: HARVEY J. GUNTER

GRIEVANCE CLERK SIGNATURE:

DATE:

ADVISOR REQUESTED: YES / NO WHO: SR. MEDICAL PERSONNEL!

ACTION(S) REQUESTED BY GRIEVANT: WHEN I AM BEING SEEN BY ANY MEDICAL STAFF NO MATTER WHAT THE REASON MAY BE AND I AM QUESTIONED ABOUT ANY MEDICAL ISSUES FROM MEDICAL STAFF I DO "NOT" WANT ANYONE OTHER THEN MEDICAL STAFF TO BE PRESENT IN MY ROOM RECORDING AND LISTENING TO MY PERSONAL MEDICAL ISSUES. IN THIS FACILITY THERE IS A OBSERVATION "WINDOW" THAT "NONE" MEDICAL STAFF CAN SEE EVERYTHING THAT IS TAKING PLACE WHILE THE MEDICAL STAFF IN IN MY ROOM!

THIS COMPLAINT HAS BEEN RESOLVED AS FOLLOWS:

INFORMAL RESOLUTION ACCEPTED: (TO BE COMPLETED ONLY IF RESOLVED PRIOR TO HEARING)

GRIEVANT SIGNATURE:

DATE:

WITNESS SIGNATURE:

DATE:

IF UNRESOLVED, YOU ARE ENTITLED TO A HEARING BY THE INCARCERATED GRIEVANCE RESOLUTION COMMITTEE (I.G.R.C.) *AN EXCEPTION TO THE TIME LIMIT MAY BE REQUESTED UNDER DIRECTIVE # 40405701.6 (G).

Case 0:25-cv-06325-EAW Document 1 Filed 05/12/25 Page 43 of 43
GRIEVANCE NO. DATE FILED
4/14/2025

GRIEVANT NAME DIN. NO.
HARVEY J. GUNTER 24B4432

FACILITY HOUSING UNIT
WENDE R.M.U. 336-2

PROGRAM DATE
N/A 4/14/2025

DESCRIPTION OF PROBLEM: ON APRIL 14, 2025, I HARVEY S. GUNTER 24B4432, HAD AN OUTSIDE MEDICAL TRIP TO E.C.M.C.. WHEN I WAS VETED BY THE SERGANT IN THE DRAFT ROOM I WAS TOLD THAT I COULD NOT WEAR MY STATE SNEAKERS TO MY APPOINTMENT. WHEN I ATTEMPTED TO EXPLAIN TO HIM THAT I AM WAITING FOR MY MEDICAL BOOTS TO ARRIVE BECAUSE IT IS MEDICALLY VOTED THAT MY FEET CAN NOT FIT INTO MY STATE BOOTS WHICH I HAVE NEVER WORN SINCE BEING ADMITTED INTO STATE CUSTODY IN OCTOBER OF 2024. HE DID NOT WANT TO TAKE IN CONSIDERATION THAT I AM A DIABETIC WITH NEUROPATHY IN BOTH FEET (NO FEELING) AND THAT SINCE BEING IN WENDE CORR. FAC. R.M.U. I HAVE BEEN ON SEVERAL MEDICAL TRIPS OUTSIDE OF THIS FACILITY WEARING MY STATE SNEAKERS. I WAS TOLD THAT I HAD TO CHOOSE TO EITHER WEAR SOME STATE BOOTS OR GO BARE FOOTED OR REFUSE THE MEDICAL APPOINTMENT WHICH WAS TO

TEST ON MY HEART FUNCTIONS, SO I WAS MADE TO GO ON AN OUTSIDE MEDICAL TRIP BAREFOOTED WITH NOTHING TO PROTECT MY FEET FROM BEING INJURED NO EVEN A PAIR OF STATE SOCKS, BECAUSE THEY DO NOT FIT MY FEET EITHER BECAUSE MY FEET ARE SWOLLEN AND WITHOUT FEELING!

GRIEVANT SIGNATURE: *Harvey J. Hunter*
GRIEVANCE CLERK SIGNATURE: _____

DATE: _____

ADVISOR REQUESTED: (YES) NO WHO: SOMEONE FROM THE MEDICAL DEPARTMENT!

ACTIONS REQUESTED BY GRIEVANT: I WOULD LIKE MEDICAL TO GIVE ME A MEDICAL PASS TO WEAR MY STATE SNEAKERS ON ANY OUTSIDE TRIPS UNTIL I RECEIVE MY MEDICAL BOOTS AND TO HAVE THAT SERGEANT WALK AROUND FOR HIS 12-HOUR SHIFT WITHOUT FOOT WEAR!

THIS COMPLAINT HAS BEEN RESOLVED AS FOLLOWS:

INFORMAL RESOLUTION ACCEPTED; TO BE COMPLETED ONLY IF RESOLVED PRIOR TO HEARING!

GRIEVANT SIGNATURE: _____

WITNESS SIGNATURE: _____

DATE: _____

DATE: _____

IF UNRESOLVED, YOU ARE ENTITLED TO A HEARING BY THE INCARCERATED GRIEVANCE RESOLUTION COMMITTEE (IGRC).
AN EXCEPTION TO THE TIME LIMIT MAY BE REQUESTED UNDER DIRECTIVE #4040 § 701.6(G)